



AVOCATS SANS FRONTIERES

France

June 2007

Newsletter

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« Avocats Sans Frontières France (Lawyers without Borders) welcomes its new manager **Hugo MOUDIKI JOMBWE**, lawyer, specialized researcher in Human Rights, process of democratization and criminal justice, former operations manager in Rwanda for ASF Belgium.»

NIGERIA

New condemnations

THE COUNTRY HAS JUST FINISHED ITS ELECTIONS PERIOD WHICH IS LETTING THE INTERNATIONAL COMMUNITY ON HOLD.

The former **President Obasanjo** had a clear position as far as it concerns the sentences to death.
Admittedly sentences to death were still pronounced but there were not executions anymore.
What will happen with the new **President Yar'Adua**?
The question appears legitimate in view of the new sentences that have just been pronounced.

- ON THE LAST 17TH OF MAY, A YOUNG MAN WAS SENTENCED TO DEATH BY STONING FOR THE RAPE OF TWO GIRLS. THE SENTENCE WAS PRONOUNCED BY THE ISLAMIC COURT OF THE STATE OF BAUCHI WHERE THE CHARIA DOES APPLY.
- STILL IN THE STATE OF BAUCHI, A WOMAN WAS SENTENCED TO DEATH IN MAY, 2004, FOR HAVING KILLED THE CHILD OF HER HUSBAND'S SECOND WIFE. AFTER HAVING LODGED AN APPEAL, HER SENTENCE TO DEATH BY HANGING HAS BEEN CONFIRMED.
- SINCE THE BEGINNING OF THE YEAR, IN GOMBÉ, SIX MEN WERE SENTENCED TO DEATH FOR ARMED ROBBERY. THEY PLEADED INNOCENCE. AN APPEAL WAS LODGED AGAINST THIS SENTENCE.

Today ASF France continues its efforts to put an end to these cruel and inhuman sentences by following closely the advances of the procedures and by bringing its support to the Nigerian lawyers.

Project supported by:

French Ministry of Foreign Affairs, the Canadian Agency for International Development, ASF Quebec, the Clifford Chance lawyer firm

In collaboration with:

Nigerian Bar Association, Legal Aid Council, Local associations (JAHEC, DPP)



MINISTÈRE DES AFFAIRES
ÉTRANGÈRES

AGENCE CANADIENNE
DE DÉVELOPPEMENT

Hauwa IBRAHIM testifies:

«BETWEEN 1999 AND 2007, I DEFENDED 107 CASES; WOMEN, CHILDREN, MEN, ALL SENTENCED TO DEATH BY THE ISLAMIC COURTS»

On April the 12th of 2007, the School of the Human Rights and ASF France invited Hauwa IBRAHIM, the 2005 Sakharov Prize, to lead a conference in the media library of Toulouse on the theme: “To fight ignorance”.

J-L MOUDENC, Mayor of Toulouse offering the gold medal of the town of Toulouse to Hauwa IBRAHIM.
Toulouse, Didier Cousy.



Hauwa IBRAHIM, a Nigerian lawyer, testifies to her action with the women of her country:

“Ignorance represents the cause of the troubles suffered by these women that I am defending.”

Today, she is bringing her fight before the Charia courts of her country where **poor illiterate women without defence are brought and accused of adultery and threatened with stoning**.

Events organized by:

ASF France and the School of the Human Rights





THE LIBYA CASE

December, 2006	Second sentence to death.
January, 2007	The European Parliament passes a Resolution on the condemnation of the accused.
February, 2007	The appeal was lodged. The case will be re-examined by the Supreme Judicial Council.
the 25th	Beginning of the trial for libel. The Libyan policemen, acquitted during the trial for tortures inflicted on the accused implicate their victims for slander.
March, 2007	Setting of an international campaign inciting the European authorities that the freedom of the prisoners became the priority of their diplomatic efforts and until their freedom.
May, the 6th	Launch of an international petition. The aim: to gather 1 million signatures before June the 22nd, date of the next European Council in Brussels.
May, 2007	Elaboration of the memorandum by the lawyers of ASF France which will be introduced to the Libyan Supreme Court.
May, the 16th	Appeal launched to the general public by ASF France to write a letter to the President SARKOZY, to ask for his support in the defence of the 6 sentenced to death in Libya.
May, the 17th	The negotiations in process between the families of the children infected and the European Union could lead to an agreement allowing the accused to avoid their sentence to death.
May, the 27th	The nurses and the doctor are acquitted in the trial for libel.

PETITION TO SEND BEFORE JUNE THE 20TH

By mail: « ECPM - campagne NE STE SAMI »
5 rue Primatice F - 75013 Paris
By Fax: 01 47 07 65 10
On Internet • www.abolition.fr • www.fnib.be •
www.fiacat.org • www.acat.asso.fr



“LET'S SAVE THE BULGARIAN NURSES AND THE PALESTINIAN DOCTOR SENTENCED TO DEATH IN LIBYA”

LIBYA

In collaboration with: Together Against Death Penalty, SIBEL Collective, Alliance of Women for Democracy.

The ASF France Libya Team is made up of François CANTIER, Emmanuel ALTIT, Antoine ALEXIEF and Ivan PANEFF, assisted by Alla ABDELHAFID, Rana MANSUR and Yana KOLEVA.

Creation of Emergency Funds

Setting up of a proposition made by F.CANTIER President of ASF France and by the Economic Interest Grouping (EIG) to create emergency funds for the missions of immediate defence.

Project of the emergency funds functioning:

Aware that it is necessary that the French bars **intervene urgently when the Rights of the Defence are threatened**, the Bar of Paris, the Conference of the Presidents of Bars and the National Bars Council decided to create emergency funds allowing to have at their disposal a financing available at any moment when this kind of mission is required.

As it suggested the creation of these funds, ASF France undertakes to ensure the technical secretariat:

- * To conduct the investigation for the demand of intervention,
- * To suggest if need be the conditions of organization of the mission(s).

From the moment that the mission is approved by the EIG, the funds will be passed on to ASF France which will ensure the organization of the mission. It is worth noting that the mission will be lead in the name of the French Bars.

The interventions will be justified in two kinds of circumstances:

- When death penalty or a degrading punishment are incurred; the defence cannot be ensured or is provided in fragility conditions that need an external support;
- When one or several lawyers or defensors of the Human Rights are persecuted, chased, threatened, murdered or tortured because of their profession or their action in favour of the Human Rights.

Line-up of the IEG:

National Bars Council, Bar of Paris and Conference of the Presidents of Bars.





International Penal Court

Since the Treaty of Rome was signed in 1998,
ASF France has been involved in the elaboration of the texts of the International Penal Court (IPC)
emphasizing the role of the councils before the IPC and the respect of the rules in a fair trial

HISTORY: ASF France, through its President F.CANTIER, actively supported the creation of an International Penal Bar (IPB).

In 2002, ASF France joined the IPB which was created to make sure that the voice of the lawyers were heard by the IPC better than the voice of the lawyers before the IPC for Rwanda and the former Yugoslavia.

Aïcha CONDÉ, member of ASF France is part of the Office of the IPB since the first elections in 2003.

Since 2004, Jean-Marie BIJU DUVAL, member of ASF France, has been following closely the works of the French Coalition for the International Penal Court (FCIPC) on the adaptation law that will allow the Rome statute to be part of the French penal law.

In 2005, Marie-Pierre POULAIN, member of the Board and representative of ASF France during the meetings with the office of the IPC was appointed as the coordinator of the team "legal representation" of the international coalition for the IPC.

In 2006, about ten meetings (between ministries, parliamentary circles and various personalities) enabled to bring out a common position on the bill of the adaptation law, aiming principally to:

- Harmonize the French definition of crimes with their international definition,
- Integrate the principle of imprescriptibility for the whole of the serious violations of the international humanitarian law,
- Make effective the proceeding of the authors of international crimes in the framework of a wider territorial competence.



It is a matter of making sure that the French law enables the effective setting up of these texts in the framework of the complementarity's principle by integrating in its legislation the crimes of genocide, the crimes against humanity and the war crimes as they are defined by the Treaty of Rome.

That is why ASF France took part in the analyze and the critic of the bill leading to the adaptation of the French law to the institution of the IPC.

CAMBODIA Project



In the framework of the project of Judicial Assistance for the poorest, ASF France, in collaboration with the School of the Human Rights decided to develop a sensitization of the children to the role of the lawyer and the access to justice for everyone in 3 orphanages.

The lawyers of this project imagined a 2 hours programme with intervention methods adapted to the maturity of the children.

The objective is that the children:

- understand notions of "fair" and "unfair",
- understand the role of the courts,
- spot the principal protagonists of a trial.

Now they will know that a free lawyer who can intervene for them is present in their province.

Project supported by:

European Union,
French ministry of Foreign Affairs, International French-Speaking Nations Agency, Embassy of France in Cambodia, Region of The Pays de la Loire, Bar of Nantes



ORGANISATION INTERNATIONALE DE LA FRANCOPHONIE

In collaboration with: The School of the Human Rights

COLOMBIA Project

In 2007, the new code of criminal proceeding came into force in 8 regions.

ASF France and its partner the Defensoria Publica currently provide technical trainings on the new code of criminal proceeding and on the law "Justice and Peace" and the "Right of the victims".

- Two sessions have already taken place and experienced a great success.
- The last took part in Pasto where more than 50 colleagues have been trained.
- Six new sessions will take place during this summer.

The 2004-2006 report on the situation of the Colombian lawyers will be printed at the end of June; the French version will be available from August.

Various bars, the French Ministry of Foreign Affairs and the French Prime Minister granted their confidence one more year to the programme Defence of the Rights of the Defence.

Regional Council of Midi-Pyrénées supports this project on the trainings provided to the Colombian colleagues for the 1st year.

Project supported by:

French Ministry of Foreign Affairs, French prime Minister, Bars of Evry, Rouen, Crêteil, Bobigny, Marseille and the Region of Midi-Pyrénées.





FOCUS ON DARFOUR

SO THAT SILENCE DOES NOT BE ADDED TO DEATH.



Darfur has been dying for more than 4 years under the blows of the Janjawids

Since 2003, date of the beginning of the conflict in this region of Sudan, more than 200,000 persons have been killed and 2.2 millions have been moved.

If nothing is done, in less than 18 months, half part of the population of the region of Darfour will need the international aid.

The worst violations of the Human Rights (murders, rapes, tortures) happen each day with impunity.

The population also suffers from unfair trials:

Sadia (22 years old) and Amouna (23 years old) from Darfour have been declared guilty of adultery and **sentenced to death by stoning**.

According to a militant from the Sudan Organization Against Torture, **they were not represented by a lawyer during their trial nor could defend themselves, nor benefit from an interpreter**.

Sadia is jailed with her 18 months baby. Several independent lawyers have lodged appeal against these decisions before a higher court.

However, some Sudanese and international legal actions provide some hope:

► **March, 2007: launch of a legal network in Sudan** bringing together 14 Centres of Justice and Confidence (JCC) shared among all the country. These centres provide a free legal assistance.

► **May, 2007: the IPC issued two bench warrants** to Ahmed Haroun, former Home Secretary and now head of the janjawid militia Ali Mouhammad Ali Abd-al-Rahman for his crimes committed in Darfour.

**BECAUSE IMPUNITY
MUST NOT EXIST ANYMORE,
LAW AND JUSTICE
WILL GET THE BETTER OF THE TORTURERS
OF THEN AND NOW.**

2007 ASF France Trainings

September the 13th, 14th and 15th October the 25th, 26th and 27th October the 5th and 6th : November the 22nd, 23rd and 24th	Training of Trainers IJI Reinforcement Training of Trainers IJJ Consolidation International Legal Instruments – IJI International Penal Court
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Informations on 05.34.31.17.83 / formations_asf@yahoo.fr

ASF France conceives training as a privileged tool for its actions.

More than 50 persons have already been trained during the first quarter of the year 2007.

All the team thanks you for your reading and invites you to support us by filling the form below.

Hugo MOUDIKI JOMBWE Manager, Alix ARQUILLERE Projects coordinator and financing, Caroline VAUTRIN Cambodia Project coordinator, Magalie GRASSAUD Latin America project coordinator, Alexandre CROIZIERS DE LACVIVIER Finance Manager, Elodie HERISSON Communication Manager.

SUPPORT FORM

To fulfil and send to:

ASF France, 35 rue Ozenne, 31000 Toulouse

Name.....

Surname.....

Address.....

Postcode.....City.....

Tel :

e-mail :

Yes, I want to support the action of Avocats Sans Frontières France

And I enclose a bank cheque to the order of ASF France of an amount of:

30 € 50 € 100 €

Other amount: €

Tax cut: your donation directly gives the right to an income tax release; to 66% of the amount of your donations that do not exceed 422 €; beyond this amount, the rate is 60% for an amount of donations that could reach 20% of your net income tax.